

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>23-157</u>
v.	:	DATE FILED: _____
AL-ASHRAF KHALIL ISAAM JAGHAMA	:	VIOLATIONS:
	:	18 U.S.C. § 844(n) (conspiracy to commit
	:	malicious damage by means of fire of a
	:	building used in interstate commerce – 1
	:	count)
	:	18 U.S.C. § 844(i) (malicious damage by
	:	means of fire of a building used in
	:	interstate commerce – 1 count)
	:	18 U.S.C. § 1343 (wire fraud – 1 count)
	:	18 U.S.C. § 844(h) (use of fire to commit
	:	a felony – 1 count)
	:	18 U.S.C. § 2 (aiding and abetting)
	:	<u>FILED UNDER SEAL</u>

SUPERSEDING INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. Defendant AL-ASHRAF KHALIL owned a mixed-use property located at 300 West Indiana Avenue, Philadelphia, Pennsylvania, within the Eastern District of Pennsylvania.
2. The building at 300 West Indiana Avenue contained a business located on the ground floor, Star Pizza, Fish, and Chicken; and two apartments located on the 2nd and 3rd floors. There was also a basement which was used by Star Pizza, Fish, and Chicken.
3. Defendant AL-ASHRAF KHALIL received rent from Star Pizza, Fish, and Chicken, and the tenants of the apartments, and thus, the building affected interstate

commerce. Additionally, Star Pizza, Fish, and Chicken received items used in its store that were shipped from outside the Commonwealth of Pennsylvania.

4. Defendant AL-ASHRAF KHALIL maintained an insurance policy on 300 West Indiana Avenue through State Farm Fire and Casualty Company for approximately \$477,300, which covered loss of the building due to fire.

5. From in or about May 2022 through in or about June 22, 2022, within the Eastern District of Pennsylvania and elsewhere, defendants

**AL-ASHRAF KHALIL and
ISAAM JAGHAMA**

conspired and agreed, together and with others known and unknown to the grand jury, to commit the offense of malicious damage and destruction, by means of fire, of a building used in interstate commerce and in activities affecting interstate commerce, in violation of Title 18, United States Code, Section 844(i), namely, the building located at 300 West Indiana Avenue, Philadelphia, Pennsylvania, within the Eastern District of Pennsylvania.

MANNER AND MEANS

It was part of the conspiracy that:

6. On or about June 18, 2022, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA ignited a fire which damaged the real property located at 300 West Indiana Avenue, Philadelphia, Pennsylvania.

7. After the fire, defendant AL-ASHRAF KHALIL authorized Insurance Restoration Consultants, Inc. and Eastern Adjustment Group to prepare to file a proof of loss claim with State Farm Fire and Casualty Company in accordance with the terms and conditions of the insurance policy in order to collect the insurance money on the building.

OVERT ACTS

In furtherance of the conspiracy and to accomplish its object, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA, together with others known and unknown to the grand jury, committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. Prior to June 18, 2022, defendant AL-AHSRAF KHALIL began discussing plans with defendant ISAAM JAGHAMA, Person 1, charged elsewhere and known to the grand jury, and Person 2, known to the grand jury, to set fire to 300 West Indiana Avenue, Philadelphia, Pennsylvania, for the purpose of collecting insurance money.
2. On various dates and times before the fire, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA, together with Person 1 and Person 2, and others known and unknown to the grand jury, discussed various places the fire could be set inside 300 West Indiana Avenue, including in Star Pizza, Fish, and Chicken, in the basement of the building, or in the apartments in the upper floors of the building.
3. On or about June 17, 2022, defendant AL-ASHRAF KHALIL moved a dumpster outside 300 West Indiana Avenue in an attempt to block the sidewalk Bilco doors that opened into the basement of the building from the view of a security camera located at a neighboring building.
4. On or about June 17, 2022, defendant AL-ASHRAF KHALIL physically damaged a portion of the DVR connected to the security cameras of Star Pizza, Fish, and Chicken to disable the cameras prior to him setting the fire with defendant ISAAM JAGHAMA.

5. In the early morning hours of June 18, 2022, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA met with Person 1 and Person 2 in Philadelphia to discuss the plan to set fire to 300 West Indiana Avenue.

6. Shortly after 1:00 a.m. on June 18, 2022, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA traveled to the area of 300 West Indiana Avenue in a vehicle belonging to ISAAM JAGHAMA. At approximately 1:26 a.m., defendants KHALIL and JAGHAMA parked defendant JAGHAMA's vehicle north of 300 West Indiana Avenue, out of the sightline of cameras near 300 West Indiana Avenue in an attempt to avoid detection.

7. On or about June 18, 2022, at approximately 1:30 a.m., defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA entered 300 West Indiana Avenue through the sidewalk Bilco doors and started a fire inside the business area on the ground floor of Star Pizza, Fish, and Chicken. At approximately 1:48 a.m., after starting the fire, defendants KHALIL and ISAAM JAGHAMA exited the building, and walked away from the building. Shortly thereafter, 911 calls reporting the fire were received. As a direct and proximate cause of the setting of the fire by defendants KHALIL and JAGHAMA, members of the Philadelphia Fire Department, the Philadelphia Fire Marshal's Office, the Philadelphia Police Department, and the Philadelphia Department of Licenses and Inspections reported to 300 W Indiana Avenue.

8. After starting the fire, defendant AL-ASHRAF KHALIL called an acquaintance to pick up him and defendant ISAAM JAGHAMA and take them to defendant JAGHAMA's house.

9. Defendant AL-ASHRAF KHALIL also called Person 1 and instructed him to pick him up from defendant ISAAM JAGHAMA's house and transport him to the fire scene. On the way to the fire scene, Person 1 took defendant KHALIL to the location where defendant

JAGHAMA's car was parked. Defendant KHALIL then moved defendant JAGHAMA's car further away from the fire scene at 300 West Indiana Avenue.

10. Defendant AL-ASHRAF KHALIL and Person 1 then went to the fire scene. Shortly thereafter, the building collapsed, and Philadelphia Fire Department Lieutenant Sean Williamson was killed as a direct and proximate cause of the conduct of defendants KHALIL and JAGHAMA, namely setting fire inside 300 W Indiana Avenue. Five other first responders, four members of the Philadelphia Fire Department, and one member of the Philadelphia Department of Licenses and Inspections, were inside 300 W Indiana Avenue as a direct and proximate cause of the conduct of defendants KHALIL and JAGHAMA in setting the fire, and were injured as a direct and proximate result of the defendants' conduct.

11. On or about June 18, 2022, defendant AL-ASHRAF KHALIL and Person 1 met with an individual representing an insurance adjuster to discuss filing insurance claims related to the fire.

12. On or about June 18, 2022, defendant AL-ASHRAF KHALIL executed paperwork authorizing an insurance claim to be filed on his behalf with State Farm Fire and Casualty Company.

All in violation of Title 18, United States Code, Section 844(n).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4, and Overt Acts 1, 6, 7, and 10 are realleged here.
2. On or about June 18, 2022, in Philadelphia, in the Eastern District of Pennsylvania, defendants

**AL-ASHRAF KHALIL and
ISAAM JAGHAMA**

maliciously damaged and destroyed, and aided and abetted the damage and destruction of, by means of fire, a building used in interstate commerce and in activities affecting interstate commerce, namely, 300 West Indiana Avenue, Philadelphia, Pennsylvania, and as a direct and proximate cause of the conduct of defendants KHALIL and JAGHAMA, Philadelphia Fire Department Lieutenant Sean Williamson was killed, and five other individuals were injured.

All in violation of Title 18, United States Code, Sections 844(i) and 2.

COUNT THREE

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs One through Four and Overt Acts 1, 6, 7, 10, 11, and 12 of Count One are realleged here.
2. State Farm Fire and Casualty Company was a provider of insurance with corporate headquarters located in the State of Illinois, and which was licensed by the Commonwealth of Pennsylvania to issue insurance policies.
3. Defendant AL-ASHRAF KHALIL purchased an approximately \$477,3000 insurance policy from State Farm Fire and Casualty Company for 300 West Indiana Avenue, Philadelphia, Pennsylvania, within the Eastern District of Pennsylvania.

THE SCHEME

4. From in or about May 2022 through on or about June 19, 2022, defendant

AL-ASHRAF KHALIL

devised and intended to devise a scheme to defraud State Farm Fire and Casualty Company and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

It was part of the scheme that:

5. On or about June 18, 2022, defendants AL-ASHRAF KHALIL and ISAAM JAGHAMA ignited a fire which damaged the real property located at 300 West Indiana Avenue, Philadelphia, Pennsylvania.
6. After the fire, defendant AL-ASHRAF KHALIL authorized Insurance Restoration Consultants, Inc. and Eastern Adjustment Group to prepare to file a proof of loss

claim with State Farm Fire and Casualty Company in accordance with the terms and conditions of the insurance policy.

7. As a result, communications, including e-mail, were sent from the Eastern District of Pennsylvania to offices of State Farm Fire and Casualty Company outside the Commonwealth of Pennsylvania, namely, to servers located in either Texas or Kansas, including on June 20, 2022.

8. On or about June 20, 2022, in the Eastern District of Pennsylvania and elsewhere, defendant

AL-ASHRAF KHALIL,

for the purpose of executing the scheme described above, and attempting to do so, knowingly caused to be transmitted in interstate commerce, by means of wire communication, certain signs, signals and sounds, namely, e-mail communications originating from the Commonwealth of Pennsylvania to servers outside the Commonwealth of Pennsylvania.

All in violation of Title 18, United States Code, Section 1343.

COUNT FOUR

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs One through Four and Overt Acts 1, 6, 7, 10, 11, and 12 of Count One are realleged here.
2. On or about June 18, 2022, in Philadelphia, in the Eastern District of Pennsylvania, defendant

AL-ASHRAF KHALIL

knowingly used, and aided and abetted the use of, fire and explosives to commit a felony, that is, Wire Fraud in violation of 18 U.S.C. § 1343, which may be prosecuted in a court of the United States.

In violation of Title 18, United States Code, Sections 844(h) and 2.

A TRUE BILL:



GRAND JURY FOREPERSON



JACQUELINE C. ROMERO
UNITED STATES ATTORNEY

No. 23CR157

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

**AL-ASHRAF KHALIL
ISAAM JAGHAMA**

SUPERSEDING INDICTMENT

Counts

- 18 U.S.C. § 844(n) (conspiracy to commit malicious damage by means of fire of a building used in interstate commerce – 1 count)**
- 18 U.S.C. § 844(i) (malicious damage by means of fire of a building used in interstate commerce – 1 count)**
- 18 U.S.C. § 1343 (wire fraud – 1 count)**
- 18 U.S.C. § 844(h) (use of fire to commit a felony – 1 count)**
- 18 U.S.C. § 2 (aiding and abetting)**
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Filed in open court this 17th day,
Of August A.D. 20 2023

Foreperson

Bail, \$ _____
